



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, बुधवार, 26 अगस्त, 2009 / 4 भाद्रपद, 1931

हिमाचल प्रदेश सरकार

FORESTS DEPARTMENT

NOTIFICATION

Shimla-171002, the 3rdAug, 2009

No. FFE-B-F(2)-72/2004-Pt-II.—In compliance to the instructions contained in Ministry of Environment and Forests, Government of India's letter No.1-58/09-MoS(I/c)-E&F dated 15th July 2009, the Governor of Himachal Pradesh is pleased to reconstitute "State Compensatory Afforestation Fund Management and Planning Authority (hereinafter referred to as State CAMPA) intended as an instrument to accelerate activities for Compensatory afforestation, forest resource management preservation of natural forests, management of wildlife, infrastructure development in the sector and allied works.

State CAMPA would provide an integrated framework for utilizing multiple sources of funding and activities relating to protection and management of forests and wildlife. Its prime task would be regenerating natural forests and building up the institution engaged in this work. The State Forest Department would be modernized to protect and regenerate the forests and wildlife habitat.

2. AIMS AND OBJECTIVES :

State CAMPA shall seek to promote:

- (a) Suitable afforestation and Soil & Water conservation strategies that are suitable for a mountain state like Himachal Pradesh;
- (b) Conservation, protection, regeneration and management of existing natural forests;
- (c) Compensatory afforestation and Catchment area treatment activities;
- (d) Environmental services, which include:
 - (i) Provision of goods such as wood, non-timber forest products, fuel, fodder and water, provision of services such as grazing, tourism, wildlife protection and life support;
 - (ii) Regulating services such as climate regulation, disease control, detoxification, carbon sequestration and health of soils, air and water regimes;
 - (iii) Non-material benefits obtained from ecosystems, spiritual, recreational, aesthetic, inspirational, educational and symbolic; and
 - (iv) Supporting such other services necessary for the production of ecosystem services, biodiversity, nutrient cycling and primary production.
- (e) Research, training and capacity building.

3. The functions of State CAMPA shall include, *inter alia*:

- (a) Funding, overseeing and promoting Compensatory afforestation done in lieu of diversion of forest land for nonforestry use under the Forest (Conservation) Act, 1980 as also the execution of Catchment Area Treatment plans ;
- (b) Overseeing forest and wildlife conservation and protection works including watershed development works within forest areas undertaken and financed under the Fund.
- (c) Maintaining a separate account in respect of funds received for conservation and protection of Protected Areas.
- (d) Earmarking upto two percent of the funds for monitoring and evaluation.

4. The State CAMPA ACCOUNT shall be created and there shall be credited into this account of the State CAMPA:

- (i) Amount transferred to it by the ad-hoc CAMPA.

- (ii) Receipt of all monies from user agencies towards Compensatory Afforestation, Additional Compensatory Afforestation, Catchment Area Treatment Plan or for compliance of any other condition (s) stipulated by the Central Government while according approval under the Forest (Conservation) Act, 1980;
- (iii) The unspent funds already realized by the State from User agencies and not yet transferred to the Adhoc CAMPA;
- (iv) The funds recoverable from the user agencies in cases where forest land diverted falls within the protected areas i.e. areas notified under Section 18, 26-A or 35 of the Wildlife (Protection) Act, 1972 (53 of 1972) for undertaking activities related to protection of biodiversity and Wildlife, which would be maintained separately.
- (v) Net Present Value (NPV) of the forest land diverted for nonforestry purposes collected under the Forest (Conservation) Act, 1980 and the rules and the guidelines made thereunder and in pursuance of the judgment of the Supreme Court dated the 29th October 2002 from user agencies.;
- (vi) The state government may also credit to the Fund:
 - a. Grants or aid received;
 - b. Any loan take by the Authority or any borrowings made by it; and
 - c. Any other sums received by the Authority by way of benefaction, gift or donations
- (vii) The monies received in the State CAMPA shall be kept in interestbearing account(s) in nationalized bank(s) and periodically withdrawn for the works as per the Annual Plan of Operations (APOs) approved by the Steering Committee.

5. UTILIZATION OF THE MONEY:

The money available with the state CAMPA shall be utilized for meeting—

- (i) expenditure towards the development, maintenance and protection of forests and wildlife management as per the approved APO;
- (ii) the non-recurring as well as recurring expenditure for the management of the State CAMPA, including the salary and allowances payable to its officers and other employees, by utilizing a part of the income from interest received by on funds invested by State CAMPA, but excluding income from funds recoverable from the user agencies in cases where forest land diverted falls within the protected areas, that is, areas notified under sections 18, 26A or 35 of the Wildlife (Protection) Act, 1972 for undertaking activities related to protection of biodiversity and wildlife;
- (iii) the expenditure incurred on monitoring and evaluation subject to overall ceiling of 2% of the amount to be spent every year; and
- (iv) disbursement on such other projects related to forest conservation.

6. DISBURSEMENT OF FUNDS:

- (a) The money received for compensatory afforestation, additional compensatory afforestation, penal compensatory afforestation, Catchment Area Treatment Plan and for any other

site specific scheme may be used as per site-specific schemes submitted by the State along with the approved proposals for diversion of forest land under the Forest (Conservation) Act, 1980.

(b) After receipt of the money, State CAMPA shall accomplish the afforestation for which money is deposited in the Compensatory Afforestation Fund within a period of one year or two growing seasons after project completion, as may be appropriate.

(c) The money received on account of Net Present Value (NPV) shall be used for natural assisted regeneration, forest management, protection, infrastructure development, wildlife protection and management, supply of wood and other forest produce saving devices and other allied activities.

(d) Monies realized from the user agencies in pursuance of the Hon'ble Supreme Court's orders or decision taken by the National Board for Wildlife involving cases of diversion of forest land in protected areas shall form a distinct corpus and shall be used exclusively for undertaking protection and conservation activities in protected areas of the State.

(e) State CAMPA shall release monies to the field officers in predetermined installments as per the Annual Plan of Operation (APO) finalized.

7. The State CAMPA shall function through a Governing Body, a Steering Committee and an Executive Committee namely:

7.1. GOVERNING BODY:

- (i) Chief Minister - Chairperson.
- (ii) Forest Minister - Vice Chairperson
- (iii) Minister for Panchayati Raj & Rural Development - Member
- (iv) Minister for Tribal Welfare - Member
- (v) Chief Secretary - Member
- (vi) Addl. Chief Secretary (Forests) - Member
- (vii) Pr. Secretary (Finance & Planning) - Member
- (viii) Pr. Secretary (Tribal Welfare) - Member
- (ix) Pr. Secretary (Panchayati Raj & Rural Development) - Member
- (x) Pr. Secretary (Environment) - Member
- (xi) Chief Wildlife Warden - Member
- (xii) Principal Chief Conservator of Forests H.P. -Member Secretary The Governing Body shall lay down the broad policy framework for the functioning of State level CAMPA and review its working from time to time.

7.2. The STEERING COMMITTEE of State CAMPA shall consist of the following:

- | | | |
|--|---|--------------------|
| (i) Chief Secretary | - | <i>Chairperson</i> |
| (ii) Addl. Chief Secretary (Forests) | - | <i>Member</i> |
| (iii) Principal Chief Conservator of Forests | - | <i>Member</i> |

(iv) Principal Secretary (Finance)	-	<i>Member</i>
(v) Principal Secretary (Rural devpt & Panchayati Raj)	-	<i>Member</i>
(vi) Principal Secretary (Environment)	-	<i>Member</i>
(vii) Chief Wildlife Warden	-	<i>Member</i>
(viii) Nodal Officer (CAMPA)	-	<i>Member</i>
(ix) A representative of the Ministry of Environment & Forests.	-	<i>Member</i>
(x) Two eminent NGO's to be nominated by the State Government for a period of 2 years at a time who shall be eligible for re-nomination.	-	<i>Members</i>
(xi) Addl. Pr. Chief Conservator of Forests (CAT Plans)	-	<i>Member Secretary</i>

7.3. POWERS & FUNCTIONS OF THE STEERING COMMITTEE:

The Steering Committee shall—

- (i) lay down and/ or approve rules and procedures for the functioning of the body and its Executive Committee, subject to the overarching objectives and core principles of State CAMPA;
- (ii) monitor the progress of the utilization of funds released by the State CAMPA;
- (iii) approve the Annual Plan of Operation (APO) prepared by the Executive Committee;
- (iv) approve the annual reports and audited accounts of the State CAMPA;
- (v) ensure inter-departmental coordination;
- (vi) meet at least once in six months.

7.4. EXECUTIVE COMMITTEE:

The Executive Committee shall consist of the following:

(i) Principal Chief Conservator of Forests	-	<i>Chairperson</i>
(ii) Chief Wildlife Warden	-	<i>Member</i>
(iii) Addl. Pr. Chief Conservator of Forests (CAT Plans)	-	<i>Member</i>
(iv) Addl. Pr. Chief Conservator of Forests (Finance)	-	<i>Member</i>
(v) Financial Controller in the o/o PCCF HP	-	<i>Member</i>
(vi) Two eminent NGOs to be nominated by the State Government for a period of 2 years at a time who shall be eligible for re-nomination	-	<i>Members</i>
(vii) Nodal Officer (CAMPA)	-	<i>Member Secretary</i>

7.5 . POWERS & FUNCTIONS OF EXECUTIVE COMMITTEE:

The State level Executive Committee shall —

- (i) take all steps for giving effect to the State CAMPA and overarching objectives and core principles, in accordance with rules and procedures approved by the Steering Committee and the approved APO;
- (ii) prepare the APO of the State for various activities, submit it to the Steering Committee before end of December for each financial year, and obtain the Steering Committee's concurrence for release of funds, while giving break-up of the proposed activities and estimated costs;
- (iii) supervise the works being implemented in the State out of the funds released from the State CAMPA;
- (iv) be responsible for proper auditing of both receipt and expenditure of funds;
- (v) develop the code for maintenance of the account at the implementing agency level;
- (vi) submit reports to the Steering Committee for review / consideration; and
- (vii) prepare Annual Report by end-June for each financial year.

8. ACCOUNTING PROCEDURE

(i) State CAMPA shall prepare, in such form and at such time in each financial year as may be prescribed, its budget for the next financial year, showing the estimated receipts and expenditure of the State CAMPA.

(ii) State CAMPA shall adopt financial regulations and procedures, in particular the procedure for approval and implementing the APO.

(iii) State CAMPA shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed in consultation with the Accountant General concerned.

(iv) The accounts of the State CAMPA shall be audited by the Accountant General at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the Authority to the Accountant General.

(v) The Accountant General and any other person appointed by him in connection with the audit of the accounts of the State CAMPA shall have the same rights and privileges and authority in connection with such audit as the Accountant General generally has in connection with the audit of the Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect the office of the State CAMPA.

(vi) The accounts of the State CAMPA as certified by the Accountant General or any other person appointed by him in this behalf together with the audit report thereon and annual report, shall be forwarded annually to the State Government, the MoEF and the Adhoc CAMPA by the State CAMPA.

(vii) The State Government and the MoEF shall have the power to conduct special audit or performance audit of the State CAMPA.

(viii) The Annual Report shall provide, inter alia, for—

- (a) the details of various works done and the amount spent;
- (b) the details of the amount received by the State CAMPA from various sources; and
- (c) the observations made in the audit report.

9. MONITORING AND EVALUATION OF THE WORKS

(1) An independent system for concurrent monitoring and evaluation of the works implemented from the State CAMPA funds shall be evolved and implemented to ensure effective and proper utilization of funds.

(2) The National CAMPA advisory council shall have the powers to order special inspection and financial audit of works executed by the State CAMPA with utilizing CAMPA money.

(3) If satisfied that the funds released are not being utilized properly, the National CAMPA advisory council as well as the State level Steering Committee shall have the power to withhold or suspend the release of remaining funds or part thereof.

This is in supersession of the earlier notification No.FFE-B-F(2)-72/2004-Pt-II dated 17-06-2009.

By order,
Sd/-
Addl. Chief Secretary.

हिमाचल प्रदेश ग्यारहवीं विधान सभा

अधिसूचना

शिमला-4, 24 अगस्त, 2009

संख्या : वि०स०-लैज-गवर्नमेंट बिल/1-31/2009.—हिमाचल प्रदेश विधान सभा की प्रक्रिया एवं कार्य संचालन नियमावली, 1973 के नियम 140 के अन्तर्गत हिमाचल प्रदेश न्यायालय (संशोधन) विधेयक, 2009 (2009 का विधेयक संख्यांक-15) जो आज दिनांक 24 अगस्त, 2009 को हिमाचल प्रदेश विधान सभा में पुरःस्थापित हो चुका है, सर्व-साधारण की सूचनार्थ राजपत्र में मुद्रित करने हेतु प्रेषित किया जाता है ।

आदेश द्वारा,
गोवर्धन सिंह,
सचिव ।

2009 का विधेयक संख्यांक 15

हिमाचल प्रदेश न्यायालय (संशोधन) विधेयक, 2009

(विधान सभा में पुरःस्थापित रूप में)

हिमाचल प्रदेश न्यायालय अधिनियम, 1976 (1976 का अधिनियम संख्यांक 23) का और संशोधन करने के लिए **विधेयक** ।

भारत गणराज्य के साठवें वर्ष में हिमाचल प्रदेश विधान सभा द्वारा निम्नलिखित रूप में यह अधिनियमित हो :—

1. **संक्षिप्त नाम.**—इस अधिनियम का संक्षिप्त नाम हिमाचल प्रदेश न्यायालय (संशोधन) अधिनियम, 2009 है ।

2. **धारा 21 का संशोधन.**—हिमाचल प्रदेश न्यायालय अधिनियम, 1976 (1976 का 23) की धारा 21 की उपधारा (1) के खण्ड (क) में, “पांच लाख” शब्दों के स्थान पर “दस लाख” शब्द रखे जाएंगे ।

उद्देश्यों और कारणों का कथन

हिमाचल प्रदेश न्यायालय अधिनियम, 1976 की धारा 21 अधीनस्थ न्यायाधीश की डिग्री या आदेश से अपीलें, जहां मूल वाद का मूल्य पांच लाख रुपए से अधिक नहीं है, जिला न्यायाधीश को और किसी अन्य मामले में उच्च न्यायालय को करने का उपबन्ध करती है। वर्तमान में सिविल न्यायाधीश (सीनियर डिवीजन) और सिविल न्यायाधीश (जूनियर डिवीजन) उन सिविल वादों में अधिकारिता का प्रयोग कर रहे हैं जहां मूल्य क्रमशः दस लाख रुपए और पांच लाख रुपए से अधिक नहीं है। इसलिए इस अस्पष्टता को दूर करने के आशय से माननीय उच्च न्यायालय ने मामले पर विचार किया और प्रस्तावित किया कि सरकार से पूर्वोक्त अधिनियम की धारा 21 को संशोधित करने का अनुरोध किया जाए तथा जिला न्यायाधीश की अपीलीय अधिकारिता को वर्तमान पांच लाख रुपए से दस लाख रुपए किया जाए, ताकि सिविल न्यायाधीश (जूनियर डिवीजन)/सिविल न्यायाधीश (सीनियर डिवीजन) की डिग्री या आदेश की समस्त अपीलें, जहां मूल वाद का मूल्य दस लाख रुपए से अधिक नहीं है, उच्च न्यायालय के बजाए जिला न्यायाधीश को की जा सके।

माननीय उच्च न्यायालय के अनुरोध पर, प्रस्ताव पर विचार किया गया और पूर्वोक्त अधिनियम की धारा 21 को संशोधित करने और जिला न्यायाधीश की अपीलीय अधिकारिता को पांच लाख से दस लाख रुपए तक बढ़ाने तथा धारा 21 को पूर्वोक्त अधिनियम की धारा 10 के समरूप लाने का विनिश्चय किया गया है। इसलिए पूर्वोक्त अधिनियम में संशोधन करना आवश्यक हो गया है।

यह विधेयक उपर्युक्त उद्देश्यों की पूर्ति के लिए है।

(प्रेम कुमार धूमल)
मुख्य मंत्री।

शिमला :

तारीख....., 2009.

वित्तीय ज्ञापन

—शून्य—

प्रत्यायोजित विधान सम्बन्धी ज्ञापन

—शून्य—

इस संशोधन विधेयक द्वारा सम्भाव्य प्रभावित होने वाले हिमाचल प्रदेश न्यायालय अधिनियम, 1976 (1976 का अधिनियम संख्यांक 23) के उपबन्धों के उद्घरण।

धारा :

21. अधीनस्थ न्यायाधीशों से अपीलें.—(1) यथा पूर्वोक्त के सिवाय, अधीनस्थ न्यायाधीश की डिक्री या आदेश की अपील निम्नलिखित को होगी :—

(क) जिला न्यायाधीश को, जहां मूल वाद का मूल्य जिसमें डिक्री या आदेश किया गया था, पांच लाख रुपए से अधिक नहीं था; और

(ख) किसी अन्य मामले में, उच्च न्यायालय को।

(2) जहां उप-धारा (1) के अधीन जिला न्यायाधीश को की जाने वाली अपीलों को प्राप्त करने का कृत्य, अपर जिला न्यायाधीश को समनुदिष्ट किया गया है, वहां अपील अपर जिला न्यायाधीश को की जा सकेगी।

(3) उच्च न्यायालय अधिसूचना द्वारा निदेश दे सकेगा कि किसी अधीनस्थ न्यायाधीश द्वारा पारित सभी या किसी मूल वाद में डिक्रियों या आदेशों की जिला न्यायालय में होने वाली अपीलों, ऐसे अन्य अधीनस्थ न्यायाधीश को की जाएंगी जो अधिसूचना में वर्णित किया जाए और तदुपरि अपीलों तदनुसार की जाएंगी और ऐसे अन्य अधीनस्थ न्यायाधीश का न्यायालय, इस प्रकार की गई सभी अपीलों के प्रयोजनों के लिए, जिला न्यायालय समझा जाएगा।

----- *AUTHORITATIVE ENGLISH TEST*

Bill No. 15 of 2009

THE HIMACHAL PRADESH COURTS (AMENDMENT) BILL, 2009

(AS INTRODUCED IN THE LEGISLATIVE ASSEMBLY)

A

BILL

further to amend the Himachal Pradesh Courts Act, 1976 (Act No. 23 of 1976).

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Sixtieth Year of the Republic of India as follows :—

1. Short Title.—This Act may be called the Himachal Pradesh Courts (Amendment) Act, 2009.

2. Amendment fo section 21.—In section 21 of the Himachal Pradesh Courts Act, 1976, (23 of 1976) in sub-section (1), in clause (a), for the words “five lakh”, the words “ten lakh” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

Section 21 of the Himachal Pradesh Courts Act, 1976 provides for appeals from the decree or order of a Subordinate Judge to the District Judge where the value of the original suit did not exceed five lakh rupees and to the High Court in any other case. At present the Civil Judge (Senior Division) and the Civil Judge (Junior Division) are exercising jurisdiction in civil suits, where the value does not exceed ten lakh rupees and five lakh rupees respectively. Thus, in order to remove this ambiguity, the Hon'ble High Court has considered this matter and resolved that the State Government may be requested to amend section 21 of the Act *ibid* and to enhance the appellate jurisdiction of District Judge from the present "five lakh rupees" to 'ten lakh rupees' so that all appeals from Civil Judge (Junior Division) and Civil Judge (Senior Division) where value of original suit did not exceed ten lakh rupees may lie to the District Judge instead of Hon'ble High Court. On the request of Hon'ble High Court the proposal has been considered and it has been decided to amend section 21 of the Act *ibid* and to enhance appellate jurisdiction of District Judge from five lakh to ten lakh rupees and to bring section 21 in consonance with section 10 of the Act *ibid*. This has necessitated amendment in the Act *ibid*.

This Bill seeks to achieve the aforesaid objectives.

(PREM KUMAR DHUMAL)
Chief Minister.

Shimla :

The....., 2009.

FINANCIAL MEMORANDUM

-Nil-

MEMORANDUM REGARDING DELEGATED LEGISLATION

-Nil-

EXTRACT OF THE PROVISIONS OF THE HIMACHAL PRADESH COURTS ACT, 1976 (ACT NO. 23 OF 1976) LIKELY TO BE AFFECTED BY THIS AMENDMENT BILL

Section :

21. Appeal from Subordinate Judges.—(1) Save as aforesaid, an appeal from decree or order of a Subordinate Judge shall lie—

- (a) to the District Judge where the value of the original suit in which the decree or order was made did not exceed 'five lakh' rupees; and
- (b) to the High Court in any other case.

(2) Where the function of receiving the appeal which lie to the District Judge under subsection (1) has been assigned to an Additional District Judge, the appeal may be preferred to Additional District Judge.

(3) The High Court may, by notification, direct that appeals lying to District Courts from all or any of the decrees or orders passed in an original suit by any Subordinate Judge shall be preferred to such other Subordinate Judge as may be mentioned in the notification and the appeals shall thereupon be preferred accordingly and the court of such other Subordinate Judge shall be deemed to be a District Court for the purposes of all appeals so preferred.

हिमाचल प्रदेश ग्यारहवीं विधान सभा

अधिसूचना

शिमला-4, 24 अगस्त, 2009

संख्या वि०स०-लैज-गवरनमैट बिल/1-37/2009.—हिमाचल प्रदेश विधान सभा की प्रक्रिया एवं कार्य संचालन नियमावली, 1973 के नियम 140 के अन्तर्गत हिमाचल प्रदेश भू-राजस्व (संशोधन) विधेयक, 2009 (2009 का विधेयक संख्यांक-17) जो आज दिनांक 24 अगस्त, 2009 को हिमाचल प्रदेश विधान सभा में पुरःस्थापित हो चुका है, सर्व-साधारण की सूचनार्थ राजपत्र में मुद्रित करने हेतु प्रेषित किया जाता है ।

आदेश द्वारा,
गोवर्धन सिंह,
सचिव ।

हिमाचल प्रदेश भू-राजस्व (संशोधन) विधेयक, 2009

(विधान सभा में पुरःस्थापित रूप में)

हिमाचल प्रदेश भू-राजस्व अधिनियम, 1954 (1954 का अधिनियम संख्यांक 6) का और संशोधन करने के लिए विधेयक।

भारत गणराज्य के साठवें वर्ष में हिमाचल प्रदेश विधान सभा द्वारा निम्नलिखित रूप में यह अधिनियमित हो:—

1. **संक्षिप्त नाम.**—इस अधिनियम का संक्षिप्त नाम हिमाचल प्रदेश भू-राजस्व (संशोधन) अधिनियम, 2009 है।

2. **धारा 14 का संशोधन.**—हिमाचल प्रदेश भू-राजस्व अधिनियम, 1954 (जिसे इसमें इसके पश्चात् 'मूल अधिनियम' निर्दिष्ट किया गया है) की धारा 14 में विद्यमान परंतुक के पश्चात्, निम्नलिखित द्वितीय परंतुक अंतःस्थापित किया जाएगा, अर्थात्:—

“परन्तु यह और कि वन भूमि सहित सरकारी भूमि पर अधिक्रमण से सम्बन्धित किसी अपील का निपटारा, उसके फाइल करने की तारीख से तीन मास की अवधि के भीतर किया जाएगा।”।

3. **धारा 138 का प्रतिस्थापन.**—मूल अधिनियम की धारा 138 के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्:—

“138. अधिकारी जिसे इस अध्याय के अधीन कार्यवाही करने हेतु सशक्त किया जा सकेगा—(1) राजस्व अधिकारी, जिसके द्वारा इस अध्याय के अधीन कार्यवाहियां की जा सकेंगी, दोनों में से किसी भी श्रेणी का ऐसिस्टेंट कलक्टर होगा।

(2) धारा 129 में अंतर्विष्ट किसी बात के होते हुए भी, जब किसी भी संपत्ति, जिसका विभाजन वांछित हो, में हक के बारे में प्रश्न हो तो ऐसे हक के प्रश्न का अवधारण ऐसे राजस्व अधिकारी द्वारा किया जाएगा, जो इस अध्याय के अधीन ऐसिस्टेंट कलक्टर प्रथम श्रेणी से नीचे की पंक्ति का न हो।”।

4. **धारा 163 का संशोधन.**—मूल अधिनियम की धारा 163 में—

(क) उप धारा (1) में—

(i) खण्ड (क) में “आदेश द्वारा” शब्दों के पश्चात् “यथास्थिति, संज्ञान लेने की तारीख से या ऐसी रिपोर्ट की प्राप्ति की तारीख से या ऐसे आवेदन को फाइल करने की तारीख से छह मास के भीतर, तथापि, अवधि, कारणों को लिखित में अभिलिखित करते हुए, और तीन मास तक बढ़ाई जा सकेंगी” शब्द और चिन्ह, अन्तःस्थापित किए जाएंगे; और

(ii) खण्ड (ग) में, “दो हजार शब्दों के स्थान पर बीस हजार या भूमि का प्रचलित बाजार मूल्य जो भी अधिक हो” शब्द प्रतिस्थापित किए जाएंगे।

(ख) उपधारा (2) में, “पांच हजार रुपए” शब्दों के स्थान पर “चालीस हजार रुपए या भूमि के प्रचलित बाजार मूल्य का दुगना, जो भी अधिक हो” शब्द और चिन्ह प्रतिस्थापित किए जाएंगे।

उद्देश्यों और कारणों का कथन

हिमाचल प्रदेश भू-राजस्व अधिनियम, 1954 (1954 का अधिनियम संख्यांक 6) की धारा 14 राजस्व अधिकारी के आदेशों के विरुद्ध विभिन्न राजस्व प्राधिकारियों (अॅथारटीज) को अपीलें फाइल करने के लिए उपबंध करती है, परंतु इसमें ऐसी कोई विनिर्दिष्ट समय सीमा नहीं दी गई है, जिसके भीतर ऐसी अपीलें विनिश्चित की जानी चाहिए। माननीय उच्च न्यायालय हिमाचल प्रदेश ने भी श्री योगिन्द्र सिंह बनाम हिमाचल प्रदेश राज्य शीर्षक से सीआर.एम.पी. (एम) संख्या 1299/2008 में यह संप्रेक्षण किया है कि अधिक्रमण के मामलों का विनिश्चय करने हेतु कोई समय सीमा नियत नहीं की गई है और वन भूमि सहित सरकारी भूमि पर अधिक्रमण करने की लोगों की प्रवृत्ति को नियंत्रित करने हेतु अधिक्रमण के ऐसे मामलों का निपटारा कड़ाई से करने की आवश्यकता है। इसके अतिरिक्त, पूर्वोक्त अधिनियम की धारा 138 ऐसे राजस्व अधिकारी, जो ऐसिस्टेंट कलक्टर प्रथम श्रेणी से नीचे की पंक्ति का न हो, को अधिनियम के अध्याय 9 के अधीन विभाजन के मामलों की कार्यवाहियां करने के लिए सशक्त करती है। राज्यभर में ऐसिस्टेंट कलक्टर पहली श्रेणी के पास, विभाजन के मामलों की बड़ी संख्या में लम्बित पड़े होने के दृष्टिगत, उन मामलों के सिवाए जहां हक का प्रश्न अंतर्वलित हो, यह आवश्यक समझा गया है कि, विभाजन के मामलों के लम्बित रहने को कम करने और ऐसे मामलों के निपटारे की गति को बढ़ाने के लिए, ऐसिस्टेंट कलक्टर, द्वितीय श्रेणी को भी कार्यवाहियां करने के लिए सशक्त किया जाए।

इसके अतिरिक्त पूर्वोक्त अधिनियम की धारा 163 भूमि पर अधिक्रमण रोकने के लिए उपबंध करती है, परंतु ऐसी भूमि से अधिक्रमणकर्ता को बाहर करने हेतु कोई समय सीमा भी नहीं है तथा अधिक्रमण करने वाले पर लगाए जाने वाले जुर्माने की मात्रा, अपराध की गंभीरता के दृष्टिगत अपर्याप्त है। अतः वन भूमि सहित सरकारी भूमि पर अधिक्रमण के मामलों का सख्ती से निपटारा करने के लिए, यह आवश्यक समझा गया है कि राजस्व अधिकारियों द्वारा अधिक्रमण के मामलों का विनिश्चय करने हेतु समय सीमा नियत की जाए और अधिक्रमण करने वाले पर लगाए जाने वाले जुर्माने की मात्रा भी बढ़ाई जाए। उपरोक्त के दृष्टिगत, पूर्वोक्त अधिनियम की धारा 14, 138 और 163 का उपयुक्त रूप से संशोधन करने का विनिश्चय किया गया है।

यह विधेयक उपर्युक्त उद्देश्यों की पूर्ति के लिए है।

शिमला :
तारीख :, 2009

(ठाकुर गुलाब सिंह)
प्रभारी मन्त्री।

वित्तीय ज्ञापन

—शून्य—

प्रत्यायोजित विधान सम्बन्धी ज्ञापन

—शून्य—

इस संशोधन विधेयक द्वारा संभाव्य प्रभावित होने वाले हिमाचल प्रदेश भू-राजस्व अधिनियम, 1954 (1954 का अधिनियम संख्यांक 6) के उपबन्धों के उद्धरण

धाराएं :

14. अपीलें.—इस अधिनियम में जहां अन्यथा व्यवस्था की गई हो उस को छोड़ कर माल अधिकारी के मूल अथवा अपील आदेश (Appellate order) पर निम्नलिखित के अनुसार अपील हो सकेगी:—

- (क) जब किसी भी श्रेणी के एसिस्टेंट कलेक्टर ने आदेश दिया हो तो कलेक्टर के पास;
- (ख) जब कलेक्टर ने आदेश दिया हो तो कमिश्नर के पास;
- (ग) जब कमिश्नर ने आदेश दिया हो तो फाइनेन्शियल कमिश्नर के पास: परन्तु
 - (अ) यदि पहली अपील पर मूल आदेश पुष्ट हो जाता है तो आगे उस की अपील नहीं होगी;
 - (आ) यदि अपील पर कलेक्टर द्वारा ऐसा आदेश संपरिवर्तित अथवा प्रतिवर्तित कर दिया जाता है और कमिश्नर के पास अपील की जाती है तो ऐसी अपील पर, यदि कोई हो, कमिश्नर का निर्णय अन्तिम होगा।

138. अधिकारी जिनको कि इस अध्याय के अधीन कार्य करने का अधिकार है.—वह माल अधिकारी जिसके द्वारा, इस अध्याय के अधीन कार्यवाही की जा सकती है, पहली श्रेणी के एसिस्टेंट कलेक्टर (Assistant Collector) से कम श्रेणी का माल अधिकारी नहीं होगा।

163. भूमि के अधिक्रमण की रोकथाम.—(1) जहां सरकारी भूमि या जो ग्राम के स्थान या सामान्य प्रयोजनों या सम्पदा अधिकार धारकों के प्रयोग या उनके सहभागीदारों के लिए आरक्षित की गई है, किसी व्यक्ति या सहभागीदारों द्वारा उसमें भवन के निर्माण या अन्य निर्मित या पौधरोपण द्वारा अधिक्रमण करता है, तब—

- (क) राजस्व अधिकारी स्वप्रेरणा से या वृत्त के कानूनगो द्वारा सम्यक् रूप से सत्यापित वृत्त के पटवारी की रिपोर्ट पर या किसी सम्पदा अधिकार धारकों या सहभागीदार के आवेदन पर सुनवाई का युक्ति-युक्त अवसर देने के पश्चात् विहित रीति में, आदेश द्वारा ऐसी भूमि से उसे बेदखल करेगा;
- (ख) यदि अधिक्रान्ता, अधिक्रमित भूमि पर किसी भवन का निर्माण या अन्य निर्मिति या पौध रोपण करता है, वह विहित रीति में, सभी विलंगमों से मुक्त राज्य सरकार में निहित होगी:

परन्तु यह कि यदि भवन या निर्मिति और इसके संलग्न भवन भागतः अधिक्रान्ता की अपनी भूमि में और भागतः अधिक्रमण की गई भूमि पर स्थित है, तो राजस्व अधिकारी भवन या अधिक्रमण की गई भूमि पर निर्मिति को तोड़ने में सक्षम होगा यदि अधिक्रान्ता राजस्व अधिकारी द्वारा यथा आदेशित इसे तोड़ने में असफल रहता है; और

- (ग) राजस्व अधिकारी अधिक्रान्ता के ऊपर प्रति बीघा या उसके किसी भाग के लिए दो हजार रुपए तक जुर्माना अधिरोपित करेगा, जो कि भू-राजस्व की बकाया के रूप में वसूलीय होगा।

(2) यदि कोई व्यक्ति जिसे इस धारा के अधीन किसी भूमि से बेदखल कर दिया गया है पुनः ऐसे अधिभोग के लिए बिना प्राधिकार के भूमि का अधिभोग करता है, तो वह कारावास से, जिसकी अवधि एक वर्ष तक की हो सकेगी, या जुर्माने से, जो पांच हजार रूपए तक का हो सकेगा, या दोनों से, दण्डनीय होगा:

परन्तु इस उप-धारा के अधीन यह कि कोई भी न्यायालय किसी अपराध का संज्ञान नहीं लेगा, जब तक कि राजस्व अधिकारी जो कि सहायक कलक्टर प्रथम ग्रेड की पंक्ति से नीचे का न हो, द्वारा लिखित में रिपोर्ट नहीं की जाती।

(3) जब हक या प्रतिकूल कब्जे के बारे में ऐसा कोई प्रश्न हो जिसमें अधिक्रमण द्वारा उस भूमि की बाबत जिसमें इस धारा के अधीन बेदखली की गई है या की जानी है, तीस वर्ष से अधिक अवधि के कब्जे का दावा किया गया है, वहां माल अधिकारी जो ऐसिस्टेंट कलक्टर पहली श्रेणी की पंक्ति से नीचे का न हो प्रश्न को अवधारित करने की कार्यवाही करेगा मानों कि वह सिविल कोर्ट हो और ऐसी सभी शक्तियों का प्रयोग करेगा जो सिविल कोर्ट द्वारा प्रयोक्तव्य है।

(4) उप-धारा (3) के अधीन प्रश्न के अवधारण के लिए, माल अधिकारी उसी प्रक्रिया को अपनाएगा जो दीवानी न्यायालय द्वारा मूल वाद के विचारण के लिए लागू है और वह निर्णय और डिक्री अभिलिखित करेगा जिसमें वे विशिष्टियां अन्तर्विष्ट होंगी जो सिविल प्रक्रिया संहिता, 1908 द्वारा विनिर्दिष्ट की जानी अपेक्षित है।

(5) उप-धारा (4) के अधीन माल अधिकारी द्वारा दी गई डिक्री की अपील डिस्ट्रिक्ट जज को होगी मानों कि वह डिक्री मूल वाद में अधीनस्थ न्यायालय की डिक्री हो।

(6) उप-धारा (5) के अधीन अपील पर डिस्ट्रिक्ट जज की अपीलीय डिक्री पर एक और अपील उच्च न्यायालय में केवल तभी होगी यदि उच्च न्यायालय का समाधान हो जाता है कि इसमें विधि का सारवान प्रश्न अन्तर्वलित है।

(7) माल अधिकारी या इस धारा के अधीन कार्य करने वाले किसी व्यक्ति के विरुद्ध इसके उपबन्धों या तद्धीन बनाए गए नियमों के अधीन सद्भावपूर्वक की गई या की जाने के लिए तात्पर्यित किसी बात के लिए कोई वाद या अन्य विधिक कार्यवाही नहीं होगी।

स्पष्टीकरण.—इस धारा के प्रयोजनों के लिए, वह व्यक्ति जिसे सरकार द्वारा नियत अवधि के लिए भूमि पट्टे पर दी गई है और जो अवधि के अवसान के पश्चात् भी भूमि पर कब्जा चालू रखता है, अधिक्रमणकर्ता समझा जाएगा, जब तक ऐसा व्यक्ति पट्टे की अवधि में बढ़ौत्तरी या इसे नवीकृत नहीं करवा लेता है।

AUTHORITATIVE ENGLISH TEXT

Bill No. 17 of 2009

THE HIMACHAL PRADESH LAND REVENUE (AMENDMENT) BILL, 2009

(As INTRODUCED IN THE LEGISLATIVE ASSEMBLY)

A

BILL

further to amend the Himachal Pradesh Land Revenue Act, 1954 (Act No. 6 of 1954).

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Sixtieth Year of the Republic of India as follows :—

1. Short Title.—This Act may be called the Himachal Pradesh Land Revenue (Amendment) Act, 2009.

2. Amendment of section 14.—In section 14 of the Himachal Pradesh Land Revenue Act, 1954 (hereinafter referred to as the 'principal Act'), after existing proviso, the following second proviso shall be inserted, namely :—

"Provided further that any appeal relating to encroachment on Government land including forest land shall be disposed of within a period of three months from the date of filing thereof."

3. Substitution of section 138.—For section 138 of the principal Act, the following section shall be substituted, namely :—

"138. Officer who may be empowered to act under this Chapter.—(1) The Revenue Officer by whom proceedings may be taken under this Chapter shall be the Assistant Collector of either grade.

(2) Notwithstanding anything contained in section 129, when there is a question as to title in any of the property of which partition is sought, such question of title shall be determined by the Revenue Officer not below that of Assistant Collector of First Grade under this Chapter."

4. Amendment of section 163.—In section 163 of the principal Act,—

(a) in sub-section (1)—

(i) in clause (a), after the words "by order" the words and sign, "within six months from the date of taking of cognizance or from the date of receipt of such report or from the date of filing of such application, as the case may be, however, the period may further be extended upto three months for the reasons to be recorded in writing" shall be inserted.; and

(ii) in clause (c), for the figures and signs "2,000/-", the figures, signs and words "20,000/- or the prevalent market value of the land, whichever is higher" shall be substituted.; and

(b) in sub-section (2), for the words "five thousand rupees", the words and sign "fifty thousand rupees or double the prevalent market value of the land, whichever is higher" shall be substituted.

STATEMENT OF OBJECTS AND REASONS

Section 14 of the Himachal Pradesh Land Revenue Act, 1954 (Act No. 6 of 1954) provides for filing of appeals against the orders of Revenue Officer to the different Revenue Authorities, but there is no specific time frame within which such appeals should be decided. The Hon'ble High Court of Himachal Pradesh in Cr. M.P. (M) No. 1299/2008 titled as Shri Yoginder Singh vs. State of Himachal Pradesh has also observed that no time frame has been fixed to decide the cases of encroachment and such cases of encroachment are required to be dealt with sternly to curb the tendency of the persons to encroach upon the Government land including forest land. Further, section 138 of the Act *ibid* empowers the Revenue Officer not below that of Assistant Collector of the First Grade to take proceedings in partition cases under Chapter IX of the Act. Keeping in view the pendency of large number of partition cases with the Assistant Collector First Grade throughout the State, it has been considering necessary to also empower Assistant Collector of Second

Grade to take proceedings in partition cases, except those cases where question of title is involved, so as to reduce the pendency of partition cases and to speed up the disposal of such cases. Further, section 163 of the Act *ibid* provides for prevention of encroachment on lands, but there is also not any time frame fixed to eject the encroacher from such land and the quantum of fine to be imposed upon the encroacher is inadequate in view of the gravity of the offence. Thus, in order to deal with cases of encroachment upon Government land including forest land firmly, it is considered essential to fix the time limit within which cases of encroachment shall be decided by the Revenue Officers and also to increase the quantum of fine which can be imposed upon the encroacher. In view of the above, it has been decided to suitably amend sections, 14, 138, and 163 of the Act *ibid*.

This Bill seeks to achieve the aforesaid objectives.

(THAKUR GULAB SINGH)

Minister-in-Charge.

SHIMLA :

The.....2009.

FINANCIAL MEMORANDUM

-NIL-

MEMORANDUM REGARDING DELEGATED LEGISLATION

-NIL-

**EXTRACT OF THE PROVISIONS OF THE HIMACHAL PRADESH LAND
REVENUE ACT, 1954 (ACT NO. 6 OF 1954) LIKELY TO BE AFFECTED BY THIS
AMENDMENT BILL**

Sections :

14. Appeals.—Save as otherwise provided by this Act, an appeal shall lie from original or appellate order or a Revenue Officer as follows, namely:—

- (a) to the Collector when the order is made by an Assistant Collector of either grade;
- (b) to the Commissioner when the order is made by a Collector;
- (c) to the Financial Commissioner when the order is made by a Commissioner:

Provided that—

- (i) When an original order is confirmed on first appeal, a further appeal shall not lie;
- (ii) when any such order is modified reversed on appeal by the Collector, the order made by the Commissioner on further appeal, if any, to him shall be final.

138. Officers who may be empowered to act under this Chapter.—The Revenue Officer by whom proceedings may be taken under this Chapter shall be a Revenue Officer of a class not below that of Assistant Collector of the first grade.

163. Prevention of encroachment on lands.—(1) Where Government land or land which has been reserved for the site of the village or for common purposes or uses of the estate right holders or of the co sharers therein, has been encroached upon by any person or cosharers for any purpose including the construction of a building or other structures or by planting trees therein, then—

- (a) the Revenue Officer may of his own motion or on the report of the patwari of the Circle duly verified by the Kanungo of the Circle or on the application of any estate right holder or co-sharers, after giving reasonable opportunity of being heard, shall eject him from such land by order, in the manner prescribed.
- (b) if the encroacher has erected any building or other structure or has planted trees on the encroached land, the same shall, in the prescribed manner, vest in the State Government free from all encumbrances:

Provided that if the building or structure and attachments thereto are situated partly in the owned land of the encroacher and partly on the encroached land, the Revenue Officer shall be competent to demolish the portion of the building or structure on the encroached land if the encroacher fails to demolish it himself as ordered by the Revenue Officer; and

- (c) the Revenue Officer shall impose upon the encroacher a fine upto Rs. 2,000/- per bigha or part thereof, which shall be recoverable, as if it were an arrear of land revenue.

(2) If a person who has been evicted from any land under this section again occupies the land without authority for such occupation, he shall be punished with imprisonment for a term which may extend to one year, or with fine which may extend to five thousand rupees or with both:

Provided that no court shall take cognizance under this sub-section of an offence unless a report in writing is made by a Revenue Officer not below the rank of Assistant Collector First Grade.

(3) When there is a question as to title or to the adverse possession, wherein the possession is claimed by an encroacher for a period beyond thirty years in relation to the land from which ejectment is made or is to be made under this section, the Revenue Officer, not below the rank of an Assistant Collector of the First Grade may proceed to determine the question, as if he, were a civil court and shall exercise all such powers as are exercisable by a civil court.

(4) For the determination of the question under sub-section (3), the Revenue Officer shall follow the same procedure as is applicable to the trial of an original suit by a civil court, and he shall record a judgement and decree containing the particulars required by the Code of Civil Procedure, 1908 (5 of 1908) to be specified therein.

(5) An appeal from the decree of the Revenue Officer made under sub-section (4) shall lie to the District Judge as if that decree were a decree of a Subordinate Judge in an original suit.

(6) A further appeal from the appellate decree of a District Judge upon an appeal under sub-section (5), shall lie to the High Court only if the High Court is satisfied that a substantial question of law is involved.

(7) No suit or other legal proceeding shall lie against the Revenue Officer or any person acting under this section in respect of anything in good faith done or purported to have been done under the provisions thereof or the rules made thereunder.

Explanation.—For the purposes of this section, any person who holds land under a lease granted by the government for a fixed term and continues to be in possession of the land beyond the expiry of the period of lease shall be deemed to be an encroacher unless such person gets the lease extended or renewed.

FINANCE DEPARTMENT (Pay Revision Section)

NOTIFICATION

Shimla-171002, the 26th August, 2009

No. Fin-(PR)B(7)-1/2009.—In exercise of the powers conferred under proviso to Article 309 of the Constitution of India and proviso to sub-rule (1) of rule 10 of the Vidhan Sabha (Recruitment and Conditions of Service Rules, 1974, as amended from time to time), the Governor, Himachal Pradesh, is pleased to make the following rules, namely:—

1. Short title and commencement.—(1) These rules may be called the Himachal Pradesh Civil Services (Revised Pay) Rules, 2009.

(2) They shall be deemed to have come into force on and with effect from the first day of January, 2006.

2. Application.—(1) Save as otherwise expressly provided by or under these rules, they shall apply to all the persons appointed to the services and posts in connection with the affairs of the State of Himachal Pradesh.

(2) They shall not apply to the:—

- (a) Members of the All India Services serving in connection with the affairs of the State of Himachal Pradesh;
- (b) Persons not in the whole-time employment of the Government of Himachal Pradesh;
- (c) Persons paid out of contingencies;
- (d) Employees whose scales of pay have been determined on the recommendations of the University Grants Commission;
- (e) Work-charged employees;
- (f) Persons employed on contract basis; and
- (g) Persons specifically excluded wholly or in part from the operation of these rules.

3. Definitions.—In these rules, unless there is anything repugnant in the subject or context;

- (a) “**existing basic pay**” or “**pre-revised basic pay**” means the pay drawn in the prescribed existing/pre-revised scale of pay including ex-gratia annual increment(s), but does not include any other type of pay like ‘special pay’ or “Personal Pay” etc;
- (b) “**existing scale**” or “**pre-revised scale**” in relation to a Government employee means the scale in respect of a post held or higher scale granted under the Assured Career Progression Scheme to him, as the case may be, or personal scale allowed to him on the first day of January, 2006, whether in a substantive or officiating capacity;

Explanation.—In the case of a Government employee, who was on the first day of January, 2006, on deputation out of India or on leave or on foreign service, or who would have on that date officiated in one or more lower posts, but for his officiating in a higher post, “existing scale” shall include the scale applicable to the post which he would have held, but for his being on deputation out of India or on leave or on foreign service, as the case may be, but for his officiating in a higher post;

(c) “**Existing emoluments**” means the sum of ;

- (i) Basic pay in the existing scale as on the first day of January, 2006 or on the date of option under rule 6;
- (ii) Dearness pay appropriate to the existing basic pay;

- (iii) Interim relief granted from time to time;
- (iv) The appropriate Dearness allowance;

(d) **“Fitment Table”** means the relevant fitment table attached to these rules showing revised pay structure corresponding to a particular pre-revised pay scale;

(e) **“Government”** means the Government of Himachal Pradesh;

(f) **“Pay in the pay band”** means the pay drawn in the running pay bands specified in column 6 of the Schedule;

(g) **“Grade pay”** means the fixed amount corresponding to the prerevised pay scales specified in column 7 of the Schedule;

(h) **“Revised pay structure”** in relation to any post or pre-revised scale specified in column 3 of the Schedule, means the pay band and grade pay, as specified against that post or pre-revised pay scale in columns 6 and 7 thereof, unless a different revised pay band and grade pay or pay scale is notified separately for the post;

(i) **“Basic pay”** in the revised pay structure means the pay drawn in the specified pay band plus the applicable grade pay, but does not include any other type of pay like special pay etc.;

(j) **“Revised emoluments”** means the pay in the pay band plus the grade pay of a Government employee in the revised pay structure and includes dearness allowance; and

(k) **“Schedule”** means a Schedule, appended to these rules providing for a General Conversion Table for revised pay structure and grouping applicable in relation to the corresponding unrevised pay scale of the employees.

4. Revised Pay Structure/Scale of pay of posts.—The corresponding revised pay structure which is a sum of pay in the pay band and grade pay as applicable, to every post or pre-revised scale, specified in the Schedule, shall be, as shown therein against each post or pre-revised scale thereof.

5. Drawal of pay in the revised pay structure. - Save as otherwise provided in these rules, a Government employee shall draw pay in the revised pay structure applicable to the post to which he is appointed:

Provided that a Government employee may opt to continue to draw pay in the existing scale, until the date on which he earns his next increment in the existing scale.

Provided further that in cases where a Government employee has been placed in higher pay scale between 1-1-2006 and the date of notification of these Rules on account of promotion, upgradation of pay scale under the Assured Career Progression Scheme or otherwise, the Government employee may elect to switch over to the revised pay structure from the date of such promotion, upgradation etc.

Provided further that in case where a Government employee has been placed in higher pay scale under the un-revised pay scales between 1.1.2006 and the date of notification of these rules on account of promotion or progression under the Assured Career Progression Scheme, the pay of the government employee on the date of grant of such higher scale shall be regulated in such a manner

that his corresponding revised pay in the revised pay structure is not lower than that shown in the Fitment Table, applicable to such pre-revised higher scale.

Explanation 1.—The option to retain the existing scale under the first and second provisos to this rule shall be admissible only in respect of one existing scale.

Explanation 2.—The aforesaid option shall not be admissible to a person, appointed to a post on or after the first day of January, 2006, whether for the first time in Government service or by transfer from another post and he shall be allowed pay only in the revised pay structure.

6. Exercise of option.—(1) The option under the provisos to rule 5, shall be exercised in writing in the form appended to these rules so as to reach the authority specified in sub-rule (2) within a period of three months from the date of publication of these rules or where an existing scale has been further revised by any order made subsequent to that date, within a period of three months from the date of such order, except for the employees posted in tribal and notified backward areas/hard areas, in whose case, the period for exercising option shall be six months :

Provided that :

(i) in the case of a Government employee, who on the date of such publication or on the date of such order, as the case may be, is out of India on leave or on deputation or on foreign service or on active service, the option shall be exercised in writing so as to reach the said authority within a period of three months from the date of his taking the charge of his post under the State Government; and

(ii) where a Government employee is under suspension on the first day of January, 2006, the option may be exercised within a period of three months from the date of his return to his duty.

(2) The option shall be intimated by the Government employee to the Head of his Office.

(3) If the intimation regarding option is not received within the period as specified in sub-rule (1), the Government employee shall be deemed to have elected to be governed by the revised pay structure with effect from the first day of January, 2006.

(4) The option once exercised shall be final.

Note 1.—Persons, whose services were terminated on or after the first day of January, 2006 and who could not exercise their option within the specified period, on account of discharge on the expiry of the sanctioned posts, resignation, dismissal or discharge or disciplinary grounds, are entitled to the benefits admissible of this rule.

Note 2.—Persons, who have died on or after the first day of January, 2006 and could not exercise their option within the specified period shall be deemed to have opted for the revised pay structure on and from the first day of January, 2006 or such later date as is most beneficial to their dependents, if the revised pay structure is more favourable and in such cases, necessary action for payment of arrears should be taken by the Head of Office.

Note 3.—Persons, who were on earned leave or any other leave on 1.1.2006, which entitled them to leave salary, shall be allowed the benefits admissible under this rule.

7. Fixation of pay in the revised pay structure.—The pay of a Government employee, who opts or is deemed to have opted under sub-rule (3) of rule 6 to be governed by the revised pay

structure in terms of the provisions of these rules, shall, unless in any case, the Government by special order otherwise directs, be fixed in the following manner, namely:—

- (i) the basic pay in the revised pay structure will be fixed with reference to the existing basic pay in the pre-revised pay scale of the post including higher scale granted under the Assured Career Progression Scheme as on 01.01.2006 or thereafter, as the case may be, and shall be an amount equal to the sum of the 'pay in the pay band' and 'grade pay' as shown in column 4 of the Fitment Table applicable to the relevant post or pre-revised pay scale;
- (ii) in case of employees, who are getting ex-gratia increments on the date of option, the revised basic pay shall be determined by multiplying the existing basic pay with 1.86 rounded off to the next higher ten and adding Grade Pay as given in the applicable Fitment Table;
- (iii) an employee, who reaches at the maximum of the Pay Band, shall be placed in the higher pay band after one year without any change in the Grade Pay; and
- (iv) (iv) In the case of a Government employee, who is in receipt of Special Pay, Family Planning Allowance, Special Allowance or Non-Practising Allowance (NPA) or by whatever name it may be called, such a Government employee shall draw the said allowances at the same rate or at different rates in the revised scale.

Provided that in such cases, the said allowance at the new rate shall be drawn in addition to pay in the revised pay structure from the date specified in the individual notifications relating to these allowances.

Note 1.—Where the increment of a Government employee falls on the first day of January, 2006 he shall have the option to draw the increment in the existing scale or in the revised Pay Band.

Note 2.—A Government employee, who is on leave on the first day of January, 2006, and is entitled to leave salary, shall become entitled to pay in the revised pay structure from 1.1.2006 or the date of option for the revised pay structure.

Note 3.—A Government employee, under suspension on the first day of January, 2006 shall continue to draw subsistence allowance based on existing scale of pay and his pay in the revised pay structure will be subject to the final order on the pending disciplinary proceedings.

Note 4.—Where the existing emoluments exceed the revised emoluments in the case of any Government employee, the difference shall be allowed as personal pay to be absorbed in future increases in pay.

Note 5.—Where in the fixation of pay under this rule, a Government employee, who, in the existing scale was drawing immediately before the first day of January 2006, equal or more pay than another Government employee junior to him in the same cadre, gets his pay fixed in the revised pay band at a stage lower than that of such junior, his pay shall be stepped up to the same stage in the revised pay band as that of the junior.

Note 6.—In case where a senior Government employee promoted to a higher post before the first day of January, 2006 draws less pay in the revised pay structure than his junior, who is promoted to a higher post on or after the first day of January, 2006, the pay in the pay band of the senior Government employee will be stepped up to an amount equal to the pay in the pay band as

fixed for his junior in that higher post. The stepping up will be done with effect from the date of promotion of the junior Government employee subject to the fulfillment of the following conditions, namely:—

- (a) both the junior and the senior Government employees should belong to the same cadre and the posts in which they have been promoted should be identical in the same cadre;
- b) the pre-revised scale of pay and the revised grade pay of the lower and higher posts in which they are entitled to draw pay should be identical;
- (c) the senior Government employees at the time of promotion should have been drawing equal or more pay than the junior; and
- d) the anomaly should be directly as a result of application of the provisions of these rules or any other rule or order regulating pay fixation on such promotion in the revised pay structure. If even in the lower post, the junior officer was drawing more pay in the pre-revised pay than his senior by virtue of any advance increment(s) granted to him, the provisions of this note shall not be invoked to step up the pay of the senior employee.

Note 7.—The Interim Relief already allowed to the employees from time to time shall be adjusted in the Revised pay and the employees shall be entitled to draw only the additional amount on account of the difference between the Revised pay and the emoluments being drawn by the employees, on the corresponding date. In case, emoluments in the Revised Pay structure becomes lower than the emoluments being drawn on the corresponding date, due to payment of Interim Relief, the extra amount, if any, shall be adjusted against the Pay Arrears of the concerned employees.

8. Mode of payment of arrear of pay.—Notwithstanding anything contained in these rules, the arrear with effect from first January, 2006 to 31st August 2009 will be paid in such manner and at such time as may be decided by the Government. The revised pay under these rules shall be drawn from the first day of September, 2009.

NOTE.—It shall be the responsibility of the concerned DDO to ensure correct fixation of pay in the revised pay structure. However, in case any discrepancy in fixation of pay is noticed resulting in overpayment, such amount shall be recovered from the concerned employee. An undertaking will be obtained from every employee, before the disbursement of arrears to the effect that any excess payment made as a result of incorrect fixation of pay in the revised pay structure or for any other reasons, will be refunded by him/her to the Government against future payments or otherwise. A specimen form of the under taking is also enclosed.

9. Rate of increment in the revised pay structure.—The rate of increment in the revised pay structure will be three per cent of the sum of the pay in the pay band and grade pay applicable, which will be rounded off to the next multiple of 10. The amount of increment will be added to the existing pay in the pay band.

10. Date of next increment.—The next increment of a Government employee, whose pay has been fixed in the revised pay structure in accordance with rule 7, shall be granted on the date, he would have drawn his increment, had he continued in the existing scale:

Provided that the next increment of a Government employee whose pay is fixed on the first day of January, 2006 at the same stage as the one, fixed for another Government employee junior to him in the same cadre and drawing pay at a lower or equal stage than his senior in the existing

scale, shall be granted on the same date as admissible to his junior, if the date of increment of the junior happens to be earlier.

11. Fixation of pay on promotion.—In the case of promotion from one grade pay to another in the revised pay structure, the pay fixation will be done as follows: —

One increment equal to 3% of the sum of the pay in the pay band and the existing grade pay will be computed and rounded off to the next multiple of 10. This will be added to the existing pay in the pay band. The grade pay corresponding to the promotion post will thereafter be granted in addition to this pay in the pay band. In cases where promotion involves change in the pay band also, the same methodology will be followed. However, if the pay in the pay band after adding the increment is less than the minimum of the higher pay band to which promotion is taking place, pay in the pay band will be stepped to such minimum.

12. Illustration.—With a view to provide guidance in the fixation of pay under the relevant rules of these rules, illustrations 1 to 5 have been given, which are appended to these rules.

- 13. Overriding effect** - The provisions of the Fundamental Rules, O.M. No. Fin C-(B)-9/79 dated 2nd November, 1979 and various orders issued thereunder from time to time, the Himachal Pradesh Civil Services (Revised Pay) Rules, 1988, as well as various orders issued thereunder, the Himachal Pradesh Civil Services (Revised Pay) Rules, 1998 and various orders issued thereunder shall not, save as otherwise provided in these rules, apply to cases where pay is regulated under these rules, to the extent they are inconsistent with these rules.
- 14. Power to relax.** - Where the Government is satisfied that the operation of these rules causes undue hardship to any individual Government employee or class of Government employees, it may, by an order in writing, relax or dispense with any of the provisions of these rules to such extent and subject to such conditions, as it may consider necessary.
- 15. Interpretation.** - If any question arises relating to the interpretation of any of the provisions of these rules, the Government shall decide the same.

By order,
ARVIND MEHTA,
Principal Secretary.

FORM OF OPTION

[See rule 6(1)]

* (1) I _____ hereby opt for the revised pay structure with effect from _____ (the date to be indicated).

Signature _____

Name _____

Date :

Designation _____

Place:

Employee Code No. (if any) _____

Department/Office in _____

Which employed. _____

FORM OF UNDERTAKING

(See Rule-8)

I _____ (Name of the officer/official) _____ presently posted as (designation and place of posting) _____ hereby undertake that any excess payment that may be found to have been made as a result of incorrect fixation of pay or any excess payment detected in the light of discrepancies noticed subsequently or due to any reasons, will be refunded by me to the Government either by adjustment against future payments due to me or otherwise, failing which, the DDO concerned shall have every right to recover the said amount of overpayment in monthly installments from my monthly salary or from other pay arrears.

Signature: _____

Dated:

Name: _____

Place:

Designation: _____

SCHEDULE
{See rules 3 and 4}

GENERAL CONVERSION TABLE

(in Rs)

Sr. No.	Pre-revised			Revised			Initial Pay
	Group	Pay Scale	Pay Band	Group	Corresponding Pay Bands	Grade Pay	
1.	2.	3.	4.	5.	6.	7.	8.
1.	(IV)	2520-100-3220-110-3660-120-4140	PB-1	(IV)	4900-10680	1300	6200
2.	(IV)	2720-100-3220-110-3660-120-4260	PB-1	(IV)	4900-10680	1400	6700
3.	(IV)	2820-100-3220-110-3660-120-4260-140-4400	PB-1	(IV)	4900-10680	1650	6950
4.	(III)	3120-100-3220-110-3660-120-4260-140-4400-150-5000-160-5160	PB-2	(III)	5910-20200	1900	7810
5.	(III)	3120-100-3220-110-3660-120-4260-140-4400-150-5000-160-5800-200-6200	PB-2	(III)	5910-20200	1950	7960
6.	(III)	3330-110-3660-120-4260-140-4400-150-5000-160-5800-200-6200	PB-2	(III)	5910-20200	2000	8240
7.	(III)	4020-120-4260-140-4400-150-5000-160-5800-200-6200	PB-2	(III)	5910-20200	2400	9880
8.	(III)	4400-150-5000-160-5800-200-7000	PB-2	(III)	5910-20200	2800	11170
9.	(III)	4550-150-5000-160-5800-200-7000-220-7220	PB-2	(III)	5910-20200	3000	11470
10.	(III)	5000-160-5800-200-7000-220-8100	PB-3	(III)	10300-34800	3200	13500
11.	(III)	5480-160-5800-200-7000-220-8100-275-8925	PB-3	(III)	10300-34800	3600	14430
12.	(III)	5800-200-7000-220-8100-275-9200	PB-3	(II)	10300-34800	3800	14590
13.	(II)	6400-200-7000-220-8100-275-10300-340-10640	PB-3	(II)	10300-34800	4200	16290
14.	(II)	7000-220-8100-275-10300-340-10980	PB-3	(II)	10300-34800	4400	17420

15.	(II)	7220-220-8100-275-10300-340-10980	PB-3	(II)	10300-34800	4600	18030
16.	(II)	7220-220-8100-275-10300-340-11320	PB-3	(II)	10300-34800	4800	18250
17.	(I)	7220-220-8100-275-10300-340-11660	PB-3	(I)	10300-34800	5000	18450
18.	(I)	7880-220-8100-275-10300-340-11660	PB-3	(I)	10300-34800	5400	20300
19.	(I)	7880-220-8100-275-10300-340-12000-375-13500	PB-4	(I)	15600-39100	5400	21000
20.	(I)	9200-275-10300-340-12000-375-13500-400-13900	PB-4	(I)	15600-39100	5700	22820
21.	(I)	9750-275-10300-340-12000-375-13500-400-14700	PB-4	(I)	15600-39100	6000	24140
22.	(I)	10025-275-10300-340-12000-375-13500-400-15100	PB-4	(I)	15600-39100	6600	25250
23.	(I)	12000-375-13500-400-15100	PB-4	(I)	15600-39100	7400	31120
24.	(I)	12000-375-13500-400-15500	PB-4	(I)	15600-39100	7600	31320
25.	(I)	12000-375-13500-400-15900-450-16350	PB-4	(I)	15600-39100	7800	31520
26.	(I)	13125-375-13500-400-15900-450-16350	PB-4	(I)	15600-39100	8200	32620
27.	(I)	13500-400-15900-450-16800	PB-4	(I)	15600-39100	8400	33510
28.	(I)	14300-400-15900-450-18150	PB-5	(I)	37400-67000	8600	46000
29.	(I)	14300-400-15900-450-18600	PB-5	(I)	37400-67000	8700	46100
30.	(I)	14300-400-15900-450-18600-500-20100	PB-5	(I)	37400-67000	8800	46200
31.	(I)	16350-450-18600-500-20100	PB-5	(I)	37400-67000	8900	48590
32.	(I)	18600-500-22100	PB-5	(I)	37400-67000	10000	54700

FITMENT TABLE 1
{See rules 3(d) and 7}

(In Rs.)

Pre-revised Pay Scale	Revised Pay Structure		
	Revised Pay Scale + Grade Pay		
	Rs. 4900-10680 + Rs. 1300		
Rs. 2520-4140	Revised Pay		
Basic Pay	Pay in the Pay Band	Grade Pay	Revised Basic Pay
1.	2.	3.	4.
2520	4900	1300	6200
2620	4900	1300	6200
2720	5060	1300	6360
2820	5250	1300	6550
2920	5440	1300	6740
3020	5620	1300	6920
3120	5810	1300	7110
3220	5990	1300	7290
3330	6200	1300	7500
3440	6400	1300	7700
3550	6610	1300	7910
3660	6810	1300	8110
3780	7040	1300	8340
3900	7260	1300	8560
4020	7480	1300	8780
4140	7710	1300	9010

FITMENT TABLE 2
{See rules 3(d) and 7}

(In Rs.)

Pre-revised Pay Scale	Revised Pay Structure		
	Revised Pay Scale + Grade Pay		
	Rs. 4900-10680 + Rs.1400		
Rs. 2720-4260	Revised Pay		
Basic Pay	Pay in the Pay Band	Grade Pay	Revised Basic Pay
1.	2.	3.	4.
2720	5300	1400	6700
2820	5300	1400	6700
2920	5460	1400	6860
3020	5630	1400	7030
3120	5810	1400	7210
3220	5990	1400	7390
3330	6200	1400	7600
3440	6400	1400	7800
3550	6610	1400	8010
3660	6810	1400	8210
3780	7040	1400	8440
3900	7260	1400	8660
4020	7480	1400	8880
4140	7710	1400	9110
4260	7930	1400	9330

FITMENT TABLE 3
{See rules 3(d) and 7}

(In Rs.)

Pre-revised Pay Scale	Revised Pay Structure		
	Revised Pay Scale + Grade Pay		
	Rs. 4900-10680+Rs. 1650		
Rs. 2820-4400	Revised Pay		
Basic Pay	Pay in the Pay Band	Grade Pay	Revised Basic Pay
1.	2.	3.	4.
2820	5300	1650	6950
2920	5440	1650	7090
3020	5780	1650	7430
3120	5810	1650	7460
3220	5990	1650	7640
3330	6200	1650	7850
3440	6400	1650	8050
3550	6610	1650	8260
3660	6810	1650	8460
3780	7040	1650	8690
3900	7260	1650	8910
4020	7480	1650	9130
4140	7710	1650	9360
4260	7930	1650	9580
4400	8190	1650	9840

FITMENT TABLE 4
{See rules 3(d) and 7}

(In Rs.)

Pre-revised Pay Scale	Revised Pay Structure		
	Revised Pay Scale + Grade Pay		
	Rs. 5910-20200+ Rs. 1900		
Rs. 3120-5160	Revised Pay		
Basic Pay	Pay in the Pay Band	Grade Pay	Revised Basic Pay
1.	2.	3.	4.
3120	5910	1900	7810
3220	5990	1900	7890
3330	6240	1900	8140
3440	6400	1900	8300
3550	6610	1900	8510
3660	6810	1900	8710
3780	7040	1900	8940
3900	7260	1900	9160
4020	7480	1900	9380
4140	7710	1900	9610
4260	7930	1900	9830
4400	8190	1900	10090
4550	8470	1900	10370
4700	8750	1900	10650
4850	9030	1900	10930
5000	9300	1900	11200
5160	9600	1900	11500

FITMENT TABLE 5
{See rules 3(d) and 7}

(In Rs.)

Pre-revised Pay Scale	Revised Pay Structure		
	Revised Pay Scale + Grade Pay		
	Rs. 5910-20200+ Rs. 1950		
Rs. 3120-6200	Revised Pay		
Basic Pay	Pay in the Pay Band	Grade Pay	Revised Basic Pay
1.	2.	3.	4.
3120	6010	1950	7960
3220	6060	1950	8010
3330	6240	1950	8190
3440	6400	1950	8350
3550	6610	1950	8560
3660	6810	1950	8760
3780	7040	1950	8990
3900	7260	1950	9210
4020	7480	1950	9430
4140	7710	1950	9660
4260	7930	1950	9880
4400	8190	1950	10140
4550	8470	1950	10420
4700	8750	1950	10700
4850	9030	1950	10980
5000	9300	1950	11250
5160	9600	1950	11550
5320	9900	1950	11850
5480	10200	1950	12150
5640	10500	1950	12450
5800	10790	1950	12740
6000	11160	1950	13110
6200	11540	1950	13490

FITMENT TABLE 6
{See rules 3(d) and 7}

(In Rs.)

Pre-revised Pay Scale	Revised Pay Structure		
	Revised Pay Scale + Grade Pay		
	Rs. 5910-20200+ Rs. 2000		
Rs. 3330-6200	Revised Pay		
Basic Pay	Pay in the Pay Band	Grade Pay	Revised Basic Pay
1.	2.	3.	4.
3330	6240	2000	8240
3440	6400	2000	8400
3550	6610	2000	8610
3660	6810	2000	8810
3780	7040	2000	9040
3900	7260	2000	9260
4020	7480	2000	9480
4140	7710	2000	9710
4260	7930	2000	9930
4400	8190	2000	10190
4550	8470	2000	10470
4700	8750	2000	10750
4850	9030	2000	11030
5000	9300	2000	11300
5160	9600	2000	11600
5320	9900	2000	11900
5480	10200	2000	12200
5640	10500	2000	12500
5800	10790	2000	12790
6000	11160	2000	13160
6200	11540	2000	13540

FITMENT TABLE 7
{See rules 3(d) and 7}

(In Rs.)

Pre-revised Pay Scale	Revised Pay Structure		
	Revised Pay Scale + Grade Pay		
	Rs. 5910-20200+ Rs. 2400		
Rs. 4020-6200	Revised Pay		
Basic Pay	Pay in the Pay Band	Grade Pay	Revised Basic Pay
1.	2.	3.	4.
4020	7480	2400	9880
4140	7710	2400	10110
4260	7930	2400	10330
4400	8190	2400	10590
4550	8470	2400	10870
4700	8750	2400	11150
4850	9030	2400	11430
5000	9300	2400	11700
5160	9600	2400	12000
5320	9900	2400	12300
5480	10200	2400	12600
5640	10500	2400	12900
5800	10790	2400	13190
6000	11160	2400	13560
6200	11540	2400	13940

FITMENT TABLE 8
{See rules 3(d) and 7}

(In Rs.)

Pre-revised Pay Scale	Revised Pay Structure		
	Revised Pay Scale + Grade Pay		
	Rs. 5910-20200 + Rs. 2800		
Rs. 4400-7000	Revised Pay		
Basic Pay	Pay in the Pay Band	Grade Pay	Revised Basic Pay
1.	2.	3.	4.
4400	8370	2800	11170
4550	8470	2800	11270
4700	8750	2800	11550
4850	9030	2800	11830
5000	9300	2800	12100
5160	9600	2800	12400
5320	9900	2800	12700
5480	10200	2800	13000
5640	10500	2800	13300
5800	10790	2800	13590
6000	11160	2800	13960
6200	11540	2800	14340
6400	11910	2800	14710
6600	12280	2800	15080
6800	12650	2800	15450
7000	13020	2800	15820

FITMENT TABLE 9
{See rules 3(d) and 7}

(In Rs.)

Pre-revised Pay Scale	Revised Pay Structure		
	Revised Pay Scale + Grade Pay		
	Rs. 5910-20200 + Rs. 3000		
Rs. 4550-7220	Revised Pay		
Basic Pay	Pay in the Pay Band	Grade Pay	Revised Basic Pay
1.	2.	3.	4.
4550	8470	3000	11470
4700	8750	3000	11750
4850	9030	3000	12030
5000	9300	3000	12300
5160	9600	3000	12600
5320	9900	3000	12900
5480	10200	3000	13200
5640	10500	3000	13500
5800	10790	3000	13790
6000	11160	3000	14160
6200	11540	3000	14540
6400	11910	3000	14910
6600	12280	3000	15280
6800	12650	3000	15650
7000	13020	3000	16020
7220	13430	3000	16430

FITMENT TABLE 10
{See rules 3(d) and 7}

(In Rs)

Pre-revised Pay Scale	Revised Pay Structure		
	Revised Pay Scale + Grade Pay		
	Rs. 10300-34800+ Rs. 3200		
Rs. 5000-8100	Revised Pay		
Basic Pay	Pay in the Pay Band	Grade Pay	Revised Basic Pay
1.	2.	3.	4.
5000	10300	3200	13500
5160	10300	3200	13500
5320	10610	3200	13810
5480	10610	3200	13810
5640	10930	3200	14130
5800	10930	3200	14130
6000	11260	3200	14460
6200	11540	3200	14740
6400	12200	3200	15400
6600	12570	3200	15770
6800	12950	3200	16150
7000	13340	3200	16540
7220	13740	3200	16940
7440	14160	3200	17360
7660	14590	3200	17790
7880	15030	3200	18230
8100	15490	3200	18690

FITMENT TABLE 11
{See rules 3(d) and 7}

(In Rs.)

Pre-revised Pay Scale	Revised Pay Structure		
	Revised Pay Scale + Grade Pay		
	Rs. 10300-34800 + Rs. 3600		
Rs. 5480-8925	Revised Pay		
Basic Pay	Pay in the Pay Band	Grade Pay	Revised Basic Pay
1.	2.	3.	4.
5480	10830	3600	14430
5640	10830	3600	14430
5800	10950	3600	14550
6000	11160	3600	14760
6200	11540	3600	15140
6400	11910	3600	15510
6600	12280	3600	15880
6800	12650	3600	16250
7000	13020	3600	16620
7220	13430	3600	17030
7440	13840	3600	17440
7660	14250	3600	17850
7880	14660	3600	18260
8100	15070	3600	18670
8375	15580	3600	19180
8650	16090	3600	19690
8925	16610	3600	20210

FITMENT TABLE 12
{See rules 3(d) and 7}

(In Rs.)

Pre-revised Pay Scale	Revised Pay Structure		
	Revised Pay Scale + Grade Pay		
	Rs. 10300-34800+ Rs. 3800		
Rs. 5800-9200	Revised Pay		
Basic Pay	Pay in the Pay Band	Grade Pay	Revised Basic Pay
1.	2.	3.	4.
5800	10790	3800	14590
6000	11160	3800	14960
6200	11540	3800	15340
6400	11910	3800	15710
6600	12280	3800	16080
6800	12650	3800	16450
7000	13020	3800	16820
7220	13430	3800	17230
7440	13840	3800	17640
7660	14250	3800	18050
7880	14660	3800	18460
8100	15070	3800	18870
8375	15580	3800	19380
8650	16090	3800	19890
8925	16610	3800	20410
9200	17120	3800	20920

FITMENT TABLE – 13
{See rules 3(d) and 7}

(In Rs.)

Pre-revised Pay Scale	Revised Pay Structure		
	Revised Pay Scale + Grade Pay		
	Rs. 10300-34800+ Rs. 4200		
Rs. 6400-10640	Revised Pay		
Basic Pay	Pay in the Pay Band	Grade Pay	Revised Basic Pay
1.	2.	3.	4.
6400	12090	4200	16290
6600	12280	4200	16480
6800	12650	4200	16850
7000	13020	4200	17220
7220	13430	4200	17630
7440	13840	4200	18040
7660	14250	4200	18450
7880	14660	4200	18860
8100	15070	4200	19270
8375	15580	4200	19780
8650	16090	4200	20290
8925	16610	4200	20810
9200	17120	4200	21320
9475	17630	4200	21830
9750	18140	4200	22340
10025	18650	4200	22850
10300	19160	4200	23360
10640	19800	4200	24000

FITMENT TABLE – 14
{See rules 3(d) and 7}

(In Rs.)

Pre-revised Pay Scale	Revised Pay Structure		
	Revised Pay Scale + Grade Pay		
	Rs. 10300-34800+ Rs. 4400		
Rs. 7000-10980	Revised Pay		
Basic Pay	Pay in the Pay Band	Grade Pay	Revised Basic Pay
1.	2.	3.	4.
7000	13020	4400	17420
7220	13430	4400	17830
7440	13840	4400	18240
7660	14250	4400	18650
7880	14660	4400	19060
8100	15070	4400	19470
8375	15580	4400	19980
8650	16090	4400	20490
8925	16610	4400	21010
9200	17120	4400	21520
9475	17630	4400	22030
9750	18140	4400	22540
10025	18650	4400	23050
10300	19160	4400	23560
10640	19800	4400	24200
10980	20430	4400	24830

FITMENT TABLE – 15
{See rules 3(d) and 7}

(In Rs.)

Pre-revised Pay Scale	Revised Pay Structure		
	Revised Pay Scale + Grade Pay		
	Rs. 10300-34800+ Rs. 4600		
Rs. 7220-10980	Revised Pay		
Basic Pay	Pay in the Pay Band	Grade Pay	Revised Basic Pay
1.	2.	3.	4.
7220	13430	4600	18030
7440	13840	4600	18440
7660	14250	4600	18850
7880	14660	4600	19260
8100	15070	4600	19670
8375	15580	4600	20180
8650	16090	4600	20690
8925	16610	4600	21210
9200	17120	4600	21720
9475	17630	4600	22230
9750	18140	4600	22740
10025	18650	4600	23250
10300	19160	4600	23760
10640	19800	4600	24400
10980	20430	4600	25030

FITMENT TABLE – 16
{See rules 3(d) and 7}

(In Rs.)

Pre-revised Pay Scale	Revised Pay Structure		
	Revised Pay Scale + Grade Pay		
	Rs. 10300-34800+ Rs. 4800		
Rs. 7220-11320	Revised Pay		
Basic Pay	Pay in the Pay Band	Grade Pay	Revised Basic Pay
1.	2.	3.	4.
7220	13450	4800	18250
7440	13840	4800	18640
7660	14250	4800	19050
7880	14660	4800	19460
8100	15070	4800	19870
8375	15580	4800	20380
8650	16090	4800	20890
8925	16610	4800	21410
9200	17120	4800	21920
9475	17630	4800	22430
9750	18140	4800	22940
10025	18650	4800	23450
10300	19160	4800	23960
10640	19800	4800	24600
10980	20430	4800	25230
11320	21060	4800	25860

FITMENT TABLE – 17
{See rules 3(d) and 7}

(In Rs.)

Pre-revised Pay Scale	Revised Pay Structure		
	Revised Pay Scale + Grade Pay		
	Rs. 10300-34800+ Rs. 5000		
Rs. 7220-11660	Revised Pay		
Basic Pay	Pay in the Pay Band	Grade Pay	Revised Basic Pay
1.	2.	3.	4.
7220	13450	5000	18450
7440	13840	5000	18840
7660	14250	5000	19250
7880	14660	5000	19660
8100	15070	5000	20070
8375	15580	5000	20580
8650	16090	5000	21090
8925	16610	5000	21610
9200	17120	5000	22120
9475	17630	5000	22630
9750	18140	5000	23140
10025	18650	5000	23650
10300	19160	5000	24160
10640	19800	5000	24800
10980	20430	5000	25430
11320	21060	5000	26060
11660	21690	5000	26690

FITMENT TABLE – 18
{See rules 3(d) and 7}

(In Rs.)

Pre-revised Pay Scale	Revised Pay Structure		
	Revised Pay Scale + Grade Pay		
	Rs. 10300-34800+ Rs. 5400		
Rs. 7880-11660	Revised Pay		
Basic Pay	Pay in the Pay Band	Grade Pay	Revised Basic Pay
1.	2.	3.	4.
7880	14900	5400	20300
8100	15070	5400	20470
8375	15580	5400	20980
8650	16090	5400	21490
8925	16610	5400	22010
9200	17120	5400	22520
9475	17630	5400	23030
9750	18140	5400	23540
10025	18650	5400	24050
10300	19160	5400	24560
10640	19800	5400	25200
10980	20430	5400	25830
11320	21060	5400	26460
11660	21690	5400	27090

FITMENT TABLE – 19
{See rules 3(d) and 7}

(In Rs.)

Pre-revised Pay Scale	Revised Pay Structure		
	Revised Pay Scale + Grade Pay		
	Rs. 15600-39100 + Rs. 5400		
Rs. 7880-13500	Revised Pay		
Basic Pay	Pay in the Pay Band	Grade Pay	Revised Basic Pay
1.	2.	3.	4.
7880	15600	5400	21000
8100	15600	5400	21000
8375	15800	5400	21200
8650	16090	5400	21490
8925	16610	5400	22010
9200	17120	5400	22520
9475	17630	5400	23030
9750	18140	5400	23540
10025	18650	5400	24050
10300	19160	5400	24560
10640	19800	5400	25200
10980	20430	5400	25830
11320	21060	5400	26460
11660	21690	5400	27090
12000	22320	5400	27720
12375	23020	5400	28420
12750	23720	5400	29120
13125	24420	5400	29820
13500	25110	5400	30510

FITMENT TABLE – 20
{See rules 3(d) and 7}

(In Rs.)

Pre-revised Pay Scale	Revised Pay Structure		
	Revised Pay Scale + Grade Pay		
	Rs. 15600-39100 + Rs. 5700		
Rs. 9200-13900	Revised Pay		
Basic Pay	Pay in the Pay Band	Grade Pay	Revised Basic Pay
1.	2.	3.	4.
9200	17120	5700	22820
9475	17630	5700	23330
9750	18140	5700	23840
10025	18650	5700	24350
10300	19160	5700	24860
10640	19800	5700	25500
10980	20430	5700	26130
11320	21060	5700	26760
11660	21690	5700	27390
12000	22320	5700	28020
12375	23020	5700	28720
12750	23720	5700	29420
13125	24420	5700	30120
13500	25110	5700	30810
13900	25860	5700	31560

FITMENT TABLE – 21
{See rules 3(d) and 7}

(In Rs.)

Pre-revised Pay Scale	Revised Pay Structure		
	Revised Pay Scale + Grade Pay		
	Rs. 15600-39100 + Rs. 6000		
Rs. 9750-14700	Revised Pay		
Basic Pay	Pay in the Pay Band	Grade Pay	Revised Basic Pay
1.	2.	3.	4.
9750	18140	6000	24140
10025	18650	6000	24650
10300	19160	6000	25160
10640	19800	6000	25800
10980	20430	6000	26430
11320	21060	6000	27060
11660	21690	6000	27690
12000	22320	6000	28320
12375	23020	6000	29020
12750	23720	6000	29720
13125	24420	6000	30420
13500	25110	6000	31110
13900	25860	6000	31860
14300	26600	6000	32600
14700	27350	6000	33350

FITMENT TABLE – 22
{See rules 3(d) and 7}**(In Rs.)**

Pre-revised Pay Scale	Revised Pay Structure		
	Revised Pay Scale + Grade Pay		
	Rs. 15600-39100 + Rs. 6600		
Rs. 10025-15100	Revised Pay		
Basic Pay	Pay in the Pay Band	Grade Pay	Revised Basic Pay
1.	2.	3.	4.
10025	18650	6600	25250
10300	19160	6600	25760
10640	19800	6600	26400
10980	20430	6600	27030
11320	21060	6600	27660
11660	21690	6600	28290
12000	22320	6600	28920
12375	23020	6600	29620
12750	23720	6600	30320
13125	24420	6600	31020
13500	25110	6600	31710
13900	25860	6600	32460
14300	26600	6600	33200
14700	27350	6600	33950
15100	28090	6600	34690

FITMENT TABLE – 23
{See rules 3(d) and 7}**(In Rs.)**

Pre-revised Pay Scale	Revised Pay Structure		
	Revised Pay Scale + Grade Pay		
	Rs. 15600-39100 + Rs. 7400		
Rs. 12000-15100	Revised Pay		
Basic Pay	Pay in the Pay Band	Grade Pay	Revised Basic Pay
1.	2.	3.	4.
12000	23720	7400	31120
12375	23720	7400	31120
12750	24200	7400	31600
13125	24420	7400	31820
13500	25110	7400	32510
13900	25860	7400	33260
14300	26600	7400	34000
14700	27350	7400	34750
15100	28090	7400	35490

FITMENT TABLE – 24
{See rules 3(d) and 7}

(In Rs.)			
Pre-revised Pay Scale	Revised Pay Structure		
	Revised Pay Scale + Grade Pay		
	Rs. 15600-39100 + Rs. 7600		
Rs. 12000-15500	Revised Pay		
Basic Pay	Pay in the Pay Band	Grade Pay	Revised Basic Pay
1.	2.	3.	4.
12000	23720	7600	31320
12375	23720	7600	31320
12750	24200	7600	31800
13125	24420	7600	32020
13500	25110	7600	32710
13900	25860	7600	33460
14300	26600	7600	34200
14700	27350	7600	34950
15100	28090	7600	35690
15500	28830	7600	36430

FITMENT TABLE – 25
{See rules 3(d) and 7}

(In Rs.)

Pre-revised Pay Scale	Revised Pay Structure		
	Revised Pay Scale + Grade Pay		
	Rs. 15600-39100 + Rs. 7800		
Rs. 12000-16350	Revised Pay		
Basic Pay	Pay in the Pay Band	Grade Pay	Revised Basic Pay
1.	2.	3.	4.
12000	23720	7800	31520
12375	23720	7800	31520
12750	24200	7800	32000
13125	24420	7800	32220
13500	25110	7800	32910
13900	25860	7800	33660
14300	26600	7800	34400
14700	27350	7800	35150
15100	28090	7800	35890
15500	28830	7800	36630
15900	29580	7800	37380
16350	30420	7800	38220

FITMENT TABLE – 26
{See rules 3(d) and 7}

(In Rs.)

Pre-revised Pay Scale	Revised Pay Structure		
	Revised Pay Scale + Grade Pay		
	Rs. 15600-39100 + Rs. 8200		
Rs. 13125-16350	Revised Pay		
Basic Pay	Pay in the Pay Band	Grade Pay	Revised Basic Pay
1.	2.	3.	4.
13125	24420	8200	32620
13500	25110	8200	33310
13900	25860	8200	34060
14300	26600	8200	34800
14700	27350	8200	35550
15100	28090	8200	36290
15500	28830	8200	37030
15900	29580	8200	37780
16350	30420	8200	38620

FITMENT TABLE – 27
{See rules 3(d) and 7}

(In Rs.)

Pre-revised Pay Scale	Revised Pay Structure		
	Revised Pay Scale + Grade Pay		
	Rs. 15600-39100 + Rs. 8400		
Rs. 13500-16800	Revised Pay		
Basic Pay	Pay in the Pay Band	Grade Pay	Revised Basic Pay
1.	2.	3.	4.
13500	25110	8400	33510
13900	25860	8400	34260
14300	26600	8400	35000
14700	27350	8400	35750
15100	28090	8400	36490
15500	28830	8400	37230
15900	29580	8400	37980
16350	30420	8400	38820
16800	31250	8400	39650

FITMENT TABLE – 28
{See rules 3(d) and 7}

(In Rs.)

Pre-revised Pay Scale	Revised Pay Structure		
	Revised Pay Scale + Grade Pay		
	Rs. 37400-67000 + Rs. 8600		
Rs. 14300-18150	Revised Pay		
Basic Pay	Pay in the Pay Band	Grade Pay	Revised Basic Pay
1.	2.	3.	4.
14300	37400	8600	46000
14700	37400	8600	46000
15100	38530	8600	47130
15500	38530	8600	47130
15900	39690	8600	48290
16350	39690	8600	48290
16800	40890	8600	49490
17250	40890	8600	49490
17700	42120	8600	50720
18150	42120	8600	50720

FITMENT TABLE – 29
{See rules 3(d) and 7}

(In Rs.)

Pre-revised Pay Scale	Revised Pay Structure		
	Revised Pay Scale + Grade Pay		
	Rs. 37400-67000 + Rs. 8700		
Rs. 14300-18600	Revised Pay		
Basic Pay	Pay in the Pay Band	Grade Pay	Revised Basic Pay
1.	2.	3.	4.
14300	37400	8700	46100
14700	37400	8700	46100
15100	38530	8700	47230
15500	38530	8700	47230
15900	39690	8700	48390
16350	39690	8700	48390
16800	40890	8700	49590
17250	40890	8700	49590
17700	42120	8700	50820
18150	42120	8700	50820
18600	43390	8700	52090

FITMENT TABLE-30
{See rules 3(d) and 7}

(In Rs.)

Pre-revised Pay Scale	Revised Pay Structure		
	Revised Pay Scale + Grade Pay		
	Rs. 37400-67000 + Rs. 8800		
Rs. 14300-20100	Revised Pay		
Basic Pay	Pay in the Pay Band	Grade Pay	Revised Basic Pay
1.	2.	3.	4.
14300	37400	8800	46200
14700	37400	8800	46200
15100	38530	8800	47330
15500	38530	8800	47330
15900	39690	8800	48490
16350	39690	8800	48490
16800	40890	8800	49690
17250	40890	8800	49690
17700	42120	8800	50920
18150	42120	8800	50920
18600	43390	8800	52190
19100	43390	8800	52190
19600	44700	8800	53500
20100	44700	8800	53500

FITMENT TABLE – 31
{See rules 3(d) and 7}

(In Rs.)

Pre-revised Pay Scale	Revised Pay Structure		
	Revised Pay Scale + Grade Pay		
	Rs. 37400-67000 + Rs. 8900		
Rs. 16350-20100	Revised Pay		
Basic Pay	Pay in the Pay Band	Grade Pay	Revised Basic Pay
1.	2.	3.	4.
16350	39690	8900	48590
16800	40890	8900	49790
17250	40890	8900	49790
17700	42120	8900	51020
18150	42120	8900	51020
18600	43390	8900	52290
19100	43390	8900	52290
19600	44700	8900	53600
20100	44700	8900	53600

FITMENT TABLE – 32
{See rules 3(d) and 7}

(In Rs.)

Pre-revised Pay Scale	Revised Pay Structure		
	Revised Pay Scale + Grade Pay		
	Rs. 37400-67000 + Rs. 10000		
Rs. 18600-22100	Revised Pay		
Basic Pay	Pay in the Pay Band	Grade Pay	Revised Basic Pay
1.	2.	3.	4.
18600	44700	10000	54700
19100	46050	10000	56050
19600	46050	10000	56050
20100	47440	10000	57440
20600	47440	10000	57440
21100	48870	10000	58870
21600	48870	10000	58870
22100	50340	10000	60340

ILLUSTRATIONS

Illustrations No 1

(See rule 7(i))

Fixation of initial pay in the revised pay structure

1	Pre-revised Pay Scale	2520-100-3220-110-3660-120-4140
2	Pay Band applicable	PB-1 Rs. 4900-10680
3	Existing basic pay as on 1.1.2006	Rs. 3550
4	Fitment Table applicable	Fitment Table-1
5	Pay in the Pay Band PB-1 as per Fitment Table 1	6610
6	Grade pay as per Fitment Table-1	1300
7	Revised Basic Pay--total of pay in the pay band and grade pay.	7910

Illustrations No 2

(See rule 7(ii))

Fixation of initial pay in the revised pay structure when basic pay in the pre-revised scale is more than the maximum pay of the scale.

1.	Pre-revised Pay Scale	7220-220-8100-275-10300-340-11660
2.	Pay Band applicable	PB-3 Rs. 10300-34800
3.	Existing basic pay as on 1.1.2006	Rs. 12000
4.	Pay in the Pay Band PB-3 after multiplication by a factor of 1.86	22320
5.	Grade pay as per Fitment Table-17	Rs. 5000
6.	Revised Basic Pay-total of pay in the pay band and grade pay.	Rs. 27320

Illustrations No 3
(See rule (10))

Fixation of initial pay on grant of increment in the revised pay structure

1.	Pre-revised Scale	6400-200-7000-220-8100-275-10300-340-10640
2.	Pay Band Applicable	PB-3 Rs. 10300-34800
3.	Existing Basic Pay as on 1.1.2006	Rs. 7000
4.	Applicable Fitment Table	Fitment Table 13
5.	Pay in the Pay Band PB-3 as per Fitment Table-13	Rs. 13020
6.	Grade Pay	Rs. 4200
7.	Revised Basic Pay--total of pay in the pay band and grade pay	Rs. 17220
8.	Date of next increment:	1.1.2007
9.	Rate of increment	3% of 7 above
10.	Amount of increment:	Rs. 516.60 rounded off to Rs.520
11.	Pay in the Pay Band after increment.	Rs. 13020+520=13540
12.	Grade Pay applicable	Rs. 4200
13.	Revised Basic Pay—total of pay in the band and grade pay.	Rs. 17740

ILLUSTRATION NO. 4
[See rule 11]

Fixation of initial pay on promotion in the revised pay structure

1.	Pay in Pay Band PB-3	Rs.19800
2.	Grade Pay in the present post	Rs. 4200
3.	Basic Pay in the PB-3 Rs. 10300-34800	Rs. 24000 (Total of 1 and 2 above.)
4.	Rate of increment on promotion to the next Grade Pay	3% of 3 above.
5.	Amount of increment on promotion to the next Grade Pay	Rs. 720
6.	Pay in the Pay Band PB-3	Rs. 19800+Rs.720=Rs. 20520
7.	Grade Pay on promotion	Rs. 4400
8.	Basic Pay on promotion.	Rs. 20520+ Rs.4400= Rs. 24920

ILLUSTRATION NO. 5
(See rule 3(b) read with rule 7)
Fixation of initial pay in the revised pay structure when higher scale
granted on account of ACP(s)

1.	Post held:	Senior Assistant
2.	Pre-revised Scale: 5800-9200	
3.	Higher scale granted on account of ACP on or before 1.1.2006	6400-10640
4.	Pay Band applicable	PB-3 Rs. 10300-34800
5.	Existing basic pay as on 1.1.2006	Rs.10300/-
6.	Fitment Table applicable	Fitment Table-13
7.	Pay in the Pay Band PB-3 as per Fitment table 13	19160
8.	Grade pay as per Fitment Table-13	4200
9.	Revised Basic Pay--total of pay in the pay band and grade pay.	23360

